



Docket No. PRD2101NP

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Paul J. Dunford et al.

Serial No. : 10/656,504

Art Unit:

Filed : September 6, 2003

Examiner:

For : METHOD TO TREAT ALLERGIC RHINITIS

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December 4, 2003

(Date of Deposit)

John W. Harbour

(Name of applicant, assignee, or Registered Representative)



(Signature)

December 4, 2003

(Date of Signature)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

☒ In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under §1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required.

☐ In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with ☐ the first or ☐ second After Final Submission, therefore:

- ☐ Statement in Accordance with §1.97(e) (attached); or
- ☐ Please charge Deposit Account No. 10-0750/ / the fee of \$180.00 as set forth in §1.17(p).

☐ In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or an action that otherwise closes prosecution and that it is accompanied by one of:

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☒ Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.

☐ Copies of references listed on the attached Form PTO-1449 are enclosed herewith EXCEPT THAT:

☐ In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.

☐ If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

☐ Copies of only foreign patent documents and non-patent literature are enclosed in accordance with 37 CFR 1.98 (a) (2). (The U.S. patents and each U.S. patent application publication listed on the attached Form PTO-1449 are not enclosed because this U.S. patent application was filed after June 30, 2003 or this international application has entered the

national stage under 35 USC §371 after June 30, 2003 (see USPTO waiver of requirement under 37 CFR 1.98 (a)(2)(i)).

☐ There are no listed references which are not in the English language.

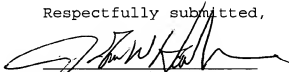
☒ The relevance of those listed references which are not in the English language is as follows: English abstracts are attached for the following patents: DE2157424A, DE4307883A1, EP0624575A1, EP0655440A2, JP01132579A2, JP5025131A, JP9124631A, SU1074094A1, WO97/03965 WO99/05121 and WO01/74774A1.

☐ Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D.

☐ Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.

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Respectfully submitted,



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# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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4	10/656,504
Filing Date	September 5, 2003
First Named Inventor	Paul J. Dunford
Group Art Unit	
Examiner Name	
Attorney Docket Number	PRD2101NP

## U.S. PATENT DOCUMENTS

Examiner Initials	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		Number	Kind Code <sup>2</sup> (if known)			
		USPN 4,115,589		Weber, R.-O. et al.	09-19-1978	
		USPN 4,374,990		Weber, R.-O. et al.	02-22-1983	
		USPN 5,563,142		Palmer, J.R. et al.	10-08-1996	
		USPN 5,814,844		Kulagowski, J.J. et al.	09-29-1998	
		USPN 5,891,902		Machini, D. et al.	04-06-1999	

## FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear	T <sup>3</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup>				
		JP	01132579	✓ A2	S. S. Pharmaceutical Co., Ltd.	05-25-1969	(SciFinder Abstract)	
		SU	1074094	✓ A1	A. Med. Pharmacology Res. Inst.	04-23-1992	(DIALOG ® File 351 : Derwent WPI)	
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		JP	9124631	✓ A	Senseishiyoku Chiyuuiyaku Kenki; Mitsubishi Chem. Corp.	05-13-1997		
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		WO	99/058121	✓	Laboratorios del Dr. Esteve, S.A.	02-04-1999		
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		EP	0978512	✓ A1	Societe Civile Bioproject	02-09-2000		
		DE	2157424	✓ A	Chemische Werke Albert AG	05-24-1973		

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Signature	Considered
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\*EXAMINER: Initial if reference constituting, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Unique citation designation number. 2 See attached Kinds of U.S. Patent Documents. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

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PTO/SB/08A (08-00) Approved for use through 10/31/2002 CMB 0851-0031 U.S. Patent and Trademark Office U.S. DEPARTMENT OF COMMERCE A collection of information unless it displays a valid OMB control number.	Application Number Filing Date First Named Inventor Group Art Unit Examiner Name Attorney Docket Number
10/656,504 September 5, 2003 Paul J. Dunford PRD2101NP	10/656,504 September 5, 2003 Paul J. Dunford PRD2101NP

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 3 of 4

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS		
Examiner's Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published
		AGARWAL, A. et al. A New Synthesis of the Potent 5-HT <sub>1</sub> Receptor Ligand, 5-Carboxyamidotryptamine (5-CT). Synth. Commun. (1993) 23(8):1101-1110
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